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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,389	10/04/2000	Glenn Reid	004860.P2474	8573

7590

09/04/2003

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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/680,389

Applicant(s)

REID, GLENN

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

1. This communication is responsive to Amendment A, filed 06/18/03.
2. Claims 1-45 are pending in this application. Claims 1, 10, 16, 22, 28, 34, and 40 are independent claims. In Amendment A, claims 10, 16, 22, 28, and 33 are amended. Claims 34-45 are new claims. This action is made final.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Klingler et al. (U.S. Patent No. 5,404,316).

As to claim 1, Klingler teaches a method for processing a presentation of a time based stream of information, the method comprising:

A) providing a user interface having functionality to display only a single graphical representation of a time line for positioning at least one reference to a visual time based stream of information in a presentation, the reference including one of at least two types of edit features (Edit features, col. 10 lines 24-53 and figs. 3-4);

B) displaying the single graphical representation of a time line on the user interface (figs. 3-4);

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C) displaying a reference with an edit feature on the user interface (col. 10 lines 24-53 and figs. 8-10); and

D) dragging the reference over the single graphical representation of the time line to insert the edit feature into the presentation (col. 9 lines 4-16).

As to claim 2, Klingler teaches the method of claim 1, wherein the edit feature is text (text, col. 3 lines 37-45).

As to claim 3, Klingler teaches the method of claim 1, wherein the edit feature is a transition (transition, col. 7 lines 33-37).

As to claim 4, Klingler teaches the method of claim 1, wherein the single graphical representation of a time line includes at least two references and wherein the reference with an edit feature is dragged between the two references (drag and drop, col. 9 lines 4-16).

As to claim 5, Klingler teaches the method of claim 1, wherein providing the reference with the edit feature is by moving a reference to an edit box and inserting the edit feature into the reference in response to user edit commands (command, col. 10 lines 24-43).

As to claim 6, Klingler teaches the method of claim 5, wherein the moving of the reference is by cutting the reference and pasting the reference over the edit box (Edit, col. 10 lines 24-52).

As to claim 7, Klingler teaches the method of claim 1, further including editing the edit feature of the reference by selecting the reference and popping up an edit box automatically in response to the selecting (automatically pasted, col. 3 lines 27-33).

As to claim 8, Klingler teaches the method of claim 1, further including displaying another reference having an edit feature and in response to a user cut/paste command, cutting the

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other reference from a position on the user interface and pasting the other reference over the single graphical representation of the time line to insert the edit feature into the presentation (Edit, col. 10 lines 24- 53 and figs. 5, 7, 9-10).

As to claim 9, Klingler teaches the method of claim 8, wherein the single graphical representation of a time line includes at least two references and wherein the reference having an edit feature is pasted between the two references (Swap, Reset, Zoom features placed between two frames, fig. 9).

As to claim 10, note the rejection of claim 1 above except (c) cutting the reference from a position on the user interface and pasting the other reference over the single graphical representation of the time line to insert the edit feature into the presentation. Klingler shows this feature "Cut" in Edit col. 10 lines 24-53.

As to claims 11, 12, 13, 14, and 15, note the rejections of claims 2-5, and 7 above respectively.

As to claim 16, Klingler teaches a digital processing system comprising:

A) a capture port for acquiring a time-based stream of information (Editing environment and Time line view, col. 2 lines 42-67, col. 3 lines 1-49, figs. 3-5);

B) a storage coupled to the capture port (storage memory, col. 4 lines 33-51 and fig. 1);

C) a display device (figs. 3-4); and

D) a processor coupled to the display device and to the storage (fig. 1), the processor for:

(i) providing a user interface having functionality to display only a single graphical representation of a time based stream of information in a presentation, the

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reference including one of at least two types of edit features (Edit features, col. 10 lines 24-53 and figs. 3-4);

(ii) display the single graphical representation of a time line on the user interface (figs. 3-4);

(iii) displaying a reference with an edit feature on the user interface (col. 10 lines 24-53 and figs. 8-10); and

(iv) dragging the reference over the single graphical representation of the time line to insert the edit feature into the presentation (col. 9 lines 4-16).

As to claims 17-21, these are system claims of method claims 2, and 4-7. Note the rejections of claims 2, and 4-7 above respectively.

As to claim 22, this is a system claim of the method claim 1. Note the rejection of claim 1 above.

As to claims 23-27, these are system claims of method claims 1, 4-7. Note the rejections of claims 1, 4-7 above respectively.

As to claims 28-33, these are program product claims of method claims 1, 4-7. Note the rejections of claims 1, 4-7 above respectively.

As to claims 34-39, these are product claims of method claims 10-15. Note the rejections of claims 10-15 above respectively.

As to claims 40-45, these are system claims of method claims 10-15. Note the rejections of claims 10-15 above respectively.

***Response to Amendment***

5. Applicant's arguments filed 06/18/03 have been fully considered but they are not persuasive.

Applicants argued the following:

Klingler does not disclose the limitation of "a user interface having functionality to display only a single graphical representation of a time line."

The Examiner disagrees for the following reasons:

Klingler clearly teaches the limitation of a user interface having functionality to display only a single graphical representation of a time line shown on each selected clip to provide more precise display of clips for frame-accurate editing (col. 2 lines 51-65); moreover, Klingler clearly demonstrates the invention in figures 3 and 4 where each clip of screen(s) shows changing of time (fig. 3) when playing, and 00:00:00.00 of fig. 4 is the Time line of that clip.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

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